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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
IN REPLY TO THE SECRETARY

7310-15-1700A1

Honorable Anna G. Eshoo
House of Representatives
1505 Longworth Building
Washington, DC 20515-0514

DOCKET FILE COPY ORIGINAL
93-61

Dear Congresswoman Eshoo:

This is in response to your letter dated December 6, 1993, requesting information regarding an FCC rule making proceeding concerning use of the 902-928 MHz band. In your letter you express concern about the future availability of this frequency band for use by manufacturers and users of Part 15 devices. The following is a brief description of the use of the 902-928 MHz band and a brief summary of the Notice of Proposed Rule Making adopted in this proceeding.

The 902-928 MHz band is shared by various user groups. In order to effectively manage the shared use of this spectrum, priorities for access to this band have been established among these groups. Users with lower priority must accept interference from and may not cause interference to users that have a higher priority. The 902-928 MHz band is primarily allocated for use by the Federal Government for Radiolocation, Fixed and Mobile services; these Federal Government users must, however, accept interference from Industrial, Scientific, and Medical (ISM) devices. Following both the Federal Government and ISM devices on the priority scale are Automatic Vehicle Monitoring (AVM) systems. Next are Amateur radio operators and finally, Part 15 users that are eligible to operate in this band. Because they have the lowest priority, Part 15 users must accept interference from and are not permitted to cause interference to any of the other users in this band. The order of priorities for users of this band has been in effect for nearly 20 years.

In PR Docket No. 93-61 the FCC has proposed certain changes to rules pertaining to AVM systems operating in the 902-928 MHz band. See, Notice of Proposed Rule Making, PR Docket No. 93-61, 8 FCC Rcd 2502 (1993). Uses for AVM systems include locating and tracking fleets of vehicles, locating stolen vehicles, alerting authorities to emergencies, automated toll collection, and freight tracking. Currently, such systems are licensed in the 904-912 and 918-926 MHz sub-bands. In PR Docket No. 93-61 the Commission proposes that such systems be licensed throughout the entire 902-928 MHz band and that they be permitted to locate persons as well as vehicles.

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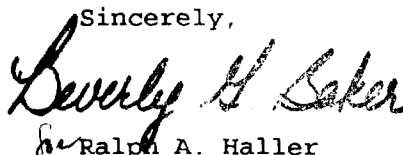
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The Commission also recognizes the difficulty various users, including Part 15 devices, may have in sharing this band and have therefore requested comment on ways that sharing may be more easily facilitated. The Commission has not, however, proposed any changes in the status of or restrictions on the use of Part 15 devices in this band at this time.

Approximately 85 entities filed extensive comments expressing their viewpoints on how to resolve the various and complex issues raised in the Notice. Many commenters' views differ in a number of respects from those offered by the Commission, and the Commission gives full consideration to the views expressed by all interested parties. We are currently preparing a Report and Order that will establish the Commission's rules and policies with regard to AVM systems and hope to announce the adoption of this Report and Order in the near future.

I thank you for your interest in this matter. I trust this is responsive to your concerns.

Sincerely,

A handwritten signature in cursive script, reading "Beverly H. Baker".

for Ralph A. Haller
Chief, Private Radio Bureau

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Anna G. Eshoo
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NORTHERN CALIFORNIA
REGIONAL WHIP

December 6, 1993

James H. Quello
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Chairman Quello:

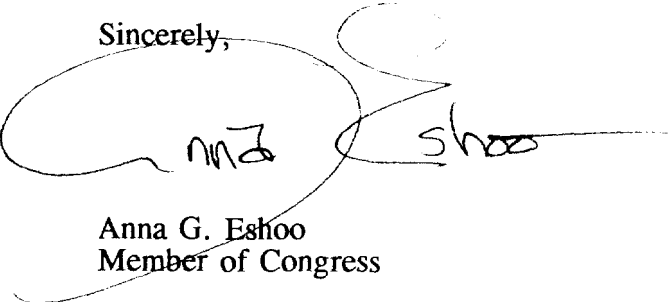
I am writing with regard to the FCC proposal that would greatly expand the current interim rules regarding automatic vehicle location monitoring in the 900 MHz band. I am concerned that the new FCC ruling, if enacted, would have a serious effect on the viability of the Part 15 industry, a multi-million dollar segment of the wireless industry.

The Part 15 industry is composed of dozens of companies, large and small, that invested millions of dollars on advanced research, development, and products used for the 900 MHz Part 15 band when the FCC opened the band to unlicensed radio technologies in 1989. This band is one place in which U.S. technology products -- like digital, spread spectrum cordless telephones, and commercial products like utility metering devices -- are highly competitive in global markets. In contrast, the technology base of the vehicle monitoring and location service proposed by the FCC has been developed by foreign companies.

I am concerned that the introduction of such a service in a unlicensed band without careful consideration of the interference impact on current products and the users of these products does a disservice to both the location monitoring users and the Part 15 industry. I would urge the Commission to explore all available alternatives in the proceeding to ensure that this does not occur.

Thank you for your attention to this important matter.

Sincerely,



Anna G. Eshoo
Member of Congress

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